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U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

GFD LLC, et al.,

Plaintiffs,

v.

GWENDOLYN CARTER, et al.,

Defendants.

Case No. CV 12-6676 UA

~~(PROPOSED)~~

ORDER SUMMARILY REMANDING
IMPROPERLY-REMOVED ACTION

The Court will remand this unlawful detainer action to state court summarily because Defendant removed it improperly.

On August 2, 2012, Defendant Gwendolyn Carter, having been sued in what appears to be a routine unlawful detainer action in California state court, lodged a Notice of Removal of that action to this Court and also presented an application to proceed *in forma pauperis*. The Court has denied the latter application under separate cover because the action was not properly removed. To prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court.

Simply stated, Plaintiff could not have brought this action in federal court in the first place, in that Defendants do not competently allege facts supplying either diversity or federal-question jurisdiction, and therefore removal is improper.

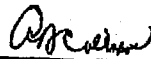
1 28 U.S.C. § 1441(a); see Exxon Mobil Corp v. Allapattah Svcs., Inc., 545 U.S. 546,
2 563, 125 S. Ct. 2611, 162 L.Ed.2d 502 (2005). Even if complete diversity of
3 citizenship exists, the amount in controversy does not exceed the diversity-
4 jurisdiction threshold of \$75,000. See 28 U.S.C. §§ 1332, 1441(b). On the
5 contrary, the unlawful-detainer complaint recites that the amount in controversy
6 does not exceed \$10,000.

7 Nor does Plaintiff's unlawful detainer action raise any federal legal question.
8 See 28 U.S.C. §§ 1331, 1441(b).

9 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the
10 Superior Court of California, Los Angeles County, Southwest District, Inglewood
11 Courthouse, One Regent Street, Inglewood, CA 90301, for lack of subject matter
12 jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) the Clerk send a certified copy of
13 this Order to the state court; and (3) the Clerk serve copies of this Order on the
14 parties.

15 IT IS SO ORDERED.

16 DATED: August 9, 2012

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20 HONORABLE AUDREY B. COLLINS
21 CHIEF UNITED STATES DISTRICT JUDGE

22 Presented by

23
24 /s/

25 Honorable Jacqueline Chooljian
26 UNITED STATE MAGISTRATE JUDGE
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